

1648

A
REJOYNDER

By way of

Animadversions

UPON

Mr. ASHURST his ANSWER

TO THE

Agreement of the People.

BY

An unknown Friend, both to him, and
his Answer, so farre as stands

WITH

Truth and Safety.

January 23. 1648.

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REJOYCE

THE

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OF



THE
State of the Kingdome, represented to the
people, concerning the King, Parliament, Ar-
my, and the whole Land.

In a Rejoynder by way of *Animadversions* upon the
Answer to the Agreement of the people,

 His Answerer tels the Reader that he was un-
satisfied with the *Peoples Agreement*, and met
with others that were so too. That the Vo-
luntary and involuntary secluded Members
doe meet, confesse, and agree, is easily believ-
ed, to oppose all proposals of Anti-Treators, representing
them destructive, the better to introduce destruction.

But he tels us that these *Meetings* are obliged for the good of
the *Kingdom*, and their *own* good; the former of these I be-
leeve to be true, and the latter much more, but some men
can disoblige their obligations, make the Covenant speak
nothing but the person of the *King*, and privilege of *Par-*
liament; and in conscience to these, make no conscience of
the Kingdomes preservation. How many such *obligers* have
varied from themselves, and their own undertakings, at the
beginning of this Parliament, since *Bransford* fight, and the
New Modell, which is bound to defend us as well from Ci-
vill as Marriall Cavaliers, because ingendred (for their
sakes) by Parliamentary *Antiparistesis*, for as our Army
went forward, our counsels went backward.

This Judicious Answerer sayes, that for his part *reason* and
not *oppression* should end those controversies, an excellent rule
if it were possible: What he means by *reason* here is hard to
understand; if the *reason* of a *Treaty*, then Doctors doubt his
Assertion, and others that love plain dealing as well as he, doe
in plain English say, That because they never yet found it in the

King, nor can hope to doe. (his nature being against it) and because without it, no growth of Peace, nor no satisfaction of safety and settlement, therefore they believe the *Treaty* to be no good *medium* to end our controversies; or if by *reason* he mean debates in Parliament, this Answerer hath stayed an Apprentiship at that trade, and hath seen the inefficaciousness thereof ever since Parliament principles, and Parliament debates began to clasp, and most of all now last of all, when betwixt sleeping and waking they voted the Kings Concessions to be a ground for sealing the Kingdoms peace, for having all along voted them unsatisfactory in parcels, at last they vote them satisfactory in whole-sale, by starting a question with the word *Peace* in it, the chief bait to all their hooks. And other reason then this and such like, we have no reason to look for in this Parliament, except purged of a many more then eleven Members, which kind of reasoning hath beene and fomented all opposition, and therefore not like to end. A wise Physician acts more by experience then reading, and in ordering the cure, hath more regard to the nature of the disease then to *Aphorisms*, and rather endeavours the expelling, then reconciling irreconcilable humours in the body naturall; so in the Body politick, those that will be good Common-wealths men must sometimes be content to be bad Statesmen; and when *reason* hath lost it self in a *mare*, to find the way out by common sense. This worthy Gentleman knowes by his transactions in *Scotland*, and may remember that some controversies will not be ended, nor some controverters satisfied with reason; but the misery of this age is, that even honest men will never be satisfied (the children of this World being wiser in their generation) but by playing an after game; and putting God still to work Miracles, binding up the hands of their friends with *reason*, and leaving the Epemie loose to opposition.

This worthy answerer sayes like himselfe, that hee loves *plaine dealing*, which he calls a *jewell*, and at this time, he sayes it is *precious*, or rare; I answer this with a story: A Parliament man prayed his neighbour wake him, to speake to such a businesse, this Gentleman purposing to doe it when it was least to the purpose, hid him now speake and

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and being told what he said was not to the businesse in
hand : sayes he ; then it were better that on which side
sayes the Gentleman ? So I take this answer ; of which
side please dealing is so rare ; whether among Traytors, or
Anti-Traytors ? Those that voted the Kings Concession a
ground of peace, (and yet unsatisfactory) or those that are
against it ? Whether those that speake English, or those that
being Englishmen speake Scottish, and for our preservation
invite them to an invasion. For all this answer loves
plaine dealing, yet in this expression he is too much in the
clouds ; for one would thinke that he would make the
world believe, the *time that is* is better then the *time that is*;
and yet his Countrey men in Lancashire thinke things bet-
ter as they are, then as they were, and so doe I, and yet they
may meed.

Wherein as to the civill part lies the *gravamen* of
these particulars ? chiefly in his owne parentheses or glosses
inserted into the Text, in those words (*either King or House
of Peeres*) though happily that which he affirms may be
the meaning of this *Wherein* : Those two states by in-
avoidable oppression and usurpation appearing inconsistent
with that radicall and chiefe estate of the people, their li-
berty, and property, by the inroachments that have beene
made thereupon, and that without redresse, when desired
(though granted) by petition of right to the King, messa-
ges and complaint to the Peeres ; yet hath the King made
warre to void his owne grants ; and frustrate the peoples
just desires, and so will doe still, and both he and the Lords
persisting to fine, prison, dismember, and personally assault
Commons and Commoners, without any helpe or hope of
remedy, contrary to the Coronation Oath, Covenant, and
property of their places and offices ; so that seeing an affir-
mative cannot be granted ; without a negative inroach-
ment ; nor that without an absolute pretension : Its time to
claime that originall right and property, which God and
nature hath invested the people with ; and that being once
againe resumed to make good their claime, then *de modo* to
proceede as they see cause, so as to carve but to other orders such
due

due proportions of honour and power, as may stand with the freedom and safety of the people. And touching the abolishing this Parliament by erecting a Representative (which a Parliament should be) the infinite disorders, dishonourable proceedings of contradictory variable Votes, arbitrary injustice, and pervarications, falsifying of their trust, and primitive Principles, and Declarations, &c. in the majority of it of later times, hath made it scarce have the face of a Parliament, and brought it to such a condition, that either there must be some strange cure, or a fatall mortality of Parliaments, *alias Representatives*: Wee see a precedent in Scotland, *salus populi* being here as there, *supremacy*, and it fairing with us as with them, the good people must either resolve so stand by the *minor* part, or fall by the *major*, there is no meane, no reason will end this opposition, which should make us rather admire Gods providence, then dispute our subsistence: lets not therefore refuse our owne muscles, but take the cup of salvation thankfully at the hands of the Lord, who hath turned wise men backward, and made their wilfulnes foolishnes.

This Answerer in the next place comes to give his reasons of this dissatisfaction. The first wherof in briefe is, Because it *propose* the people without colour of Law, or Right, shall agree to alter Government, and take away elections, and may bee gettrosse whetting between people and people, and so cause confusion. In this case it is with the people as with the Parliament, both in England and Scotland, and in both Houses of Lords and Commons, the *minor* part being the better, it doth denominate, and though it may bee said, that one party calling themselves a Parliament now, if the King get the better, a contrary party may then doe so too, yet this makes not voyd the being of a Parliament at present, because another party may chance lay claime to it in the future, so, nor of the people. And if this people so called at present, doe what they doe without colour of Law, the Parliaments acting without colour of Justice, contrary to publick Faith, is the cause thereof, but in case of moulding, or making Governments, the people who are above Law in a collective con-

consideration, their Reason is a Law, and such Legisla-
tion, though not all, far less impossible; no our the ma-
jor part, for they cannot be numbered.

Some have said, that the publick may go
more, if others must carry it, then carry warrens; and
the private come, that now find Burgeses to Parliament
must be privileged above some Counties, and some conside-
rable operations, which being part of the whole, their
right in this situation is preferred in the whole, and their
proportion is still the same, though their number be less,
leaving still the same Burgeses in quality though not in e-
quality, their full part though not their full number; nor
doth it follow (as this Answerer in his reason argues)
That they may with as much Justice take away any mans life as if he
as a Election from Barron, the one of these being a right
of Privilege by mere municipal Law, or political com-
munion, the other being a personall propriety, the right
whereof is grounded upon the Lawes naturall and naturall
as well as municipall. The Parliament is able though for
convenience it may alter, and Order politick and publick
Privileges, & immunities, yet may they not take mens lives
and Estates (except upon just forfeiture) saving in a ratable,
and proportionable way of assessments, or the like, as
Members of the whole; so nor the People.

His second reason is drawn from the unreasonableness
of this attempt before the inconveniences of the present Government
have been discovered and debated, and tryall had been made, by
the present unquestionable Power if remedy. The inconveniences
are more unquestionable then the Power of this present
Parliament, or Parliamentary Government, by King,
Lords, and Commons (except call in a quite other world)
one striving to get from another, and all from the People,
who besides their sufferings in oppression are undone by their
divisions, and divers interests which each labours to up-
hold and increase, no man being able to looke beyond these
differences to see any probable period, or reconciliation,
but the answerer would have a qualification instead of an
alteration, supposing that which is not to be supposed, that
these

their distinct ends, will not be able, before the crime
be committed, to interpose, or to prevent the same, done,
viz. Seek their own preservation, by such means, as they
and the people shall see fit, and therefore being in a li-
tle way out upon the right hand by a private statement, or
rather the more so, for the good reason themselves, And
the qualification his Answer, and how he might be
bound by a Parliamentary discipline, (for I have seen a patient
will reach his own soul) and to be bound, and to collect
the present unquestionable power, which it is to all there
be a power to question it, and then it will unquestionably
be questioned, by him and them, which though they are at
present unwilling, yet wait for a time, to make good
the Act at Oxford, that our Constitution, but what is
not of our Constitution, is of all those which have
not been altered, To say what freedom, honour, and
joy to him and no body else, and build our former sub-
stance upon present situations (for what Constitu-
tion were ever so good, and so good, till they could be broken,
how in that way have the people and Parliament, and
rolled off his his done brought the same thing, to my mind
over, selling their right by buying their freedom, which
to make a Query upon, hath been the dissolution of not a
few Parliaments, and the death and destruction of not a
few Parliament Patriots, then he is told, that the conclusions are
not obligatory, for that none was told, his interest with-
out his consent.

But does this answer intend this to be only between the
two Houses, by conference, meetings and such like, how long
is that war may we wait for an end? And what is it like to
be when we have it? The Lords never willingly parting with
any thing they were possessed of, and how long last when bid?
The what his Excellency is at White-hall. Or doth he intend
the debate by the present House of Commons only, why that
will come to nothing, to have the excluded Members return,
who have already spoken their minds in their Petition;
then the Parliament will be the Parliament and not this chat-
ter, as he saies of the people in his former reason. Or means hee

bee that the secluded Members shall first bee restored and then the debate to be by both, or either, what hopes can be had of such debates but giving time to new designs, commotions, and invasions, and what hath such debates brought forth after a seven years Parliament, and six years warre? the restoring the implacable enemy of all honest men into freedom honour and safety, and the erecting of a Militia wherein Cavaliers are commissioned to protect Round-heads, *Wolves set to keepe Sheep;*

It is true, that a cure by alteration is desperate, difficult, and dangerous: and it is as true, that so is our condition without it, this Kingdome betwixt a good and a bad party, in respect of this present Parliament, being at the best but *pendulous*, hanging between a paire of gold weights, now up, then down, as grams are added or taken away, to day voting a none-addresse, & settlement of the Kingdome thereupon, and holding forth these Votes and their reasons for publicke satisfaction, and as if they went to make a Tennis-ball of the peoples credulity and the Kingdomes peace, to morrow unvote both these votes and give the people no reason, but reason of State, because they had none else to give.

The answerer findes fault that such an alteration should bee attempted, *as necessity sheweth*, what we know by sence we need not reason to demonstrate, such hazzard as the Kingdome hath run of utter undoing, together with the difficultie, yea, impossibility of redresse by reason of multiplicity of interests is reason sufficient; insomuch as scarce a good reason can be given to the contrary, for whereas he sayeth, *This Kingdome hath lived happily under this Government for many hundred yeares*, to wit, when men and times were better; King, Peeres and People, all Englishmen, driving *Englands* interest, envying with other nations, not one with another, when Nobility and Gentry were made such, for their intellectuall, morall, or Martiall worth and archivements, when men might be trusted, before Machivells time, or the order of Jesuites was erected. And whereas this answerer renders this alteration a *total exclusion of King and Peeres out of Government*, it is true the agreement seems to import as much, but when the Representatives are conveened, what they may then finde fit and necessary I will

not preiudge, onely say thus much, That the people have reason to make their claime absolute, to justify their legislative supremacy, and radicall right of Instituting a nationall Government, especially considering how it hath beene stricke at both by King and Lords, by usurpation and encroachment; drawne up into State maximes, and priviledge of Peeres, inasmuch as the King nor the house of Lords *can do no wrong*, though the one lye with *Shores* wife, and the other ravish both libertie and property. The reasons this answerer brings from *abroad and home dangers, which may be the consequences of this alteration*, hold as well against any alteration of this King, and his immediate successors, as against all. But he further objects the *Parliaments owne Declarations that they would not alter the Government by King, Lords, and Commons*. If they did declare so much to free themselves of any *designe* in the peoples opinions, as he sayes they did, they are quit of that imputation, when as it comes not from them, to the people; but from the people to them, thinking then that it might *compete* with their trust, and the publicke safety of the people, who they thought desired it, therefore they declared it, but finding the people of another mind, and the things incomparable with those ends, they must walke according to publicke interest, notwithstanding published Declarations, ill manners begets good lawes, and causes new resolutions, the change is not in the Parliament but in the People, whose wrongs enforce it from them: The King and Lords, are the first and greatest innovators. Miscarriages are incident to all kinds of Government; but when they are justified, pleaded for, and persisted in, it is not medicines but coratives must worke the cure. We have beene happy in *Law* though it hath been in *French*, but that's no sufficient reason why they should not now be translated into *English*. The Parliament have declared they will govern by Law, but that does not hinder, but that they may alter or repeale the Lawes of Government; according to the change of times, and inconsistency of things. If all Declarations had beene made good, the *Scots* had not been invited, the King Treated, nor the people wronged.

The substance of this reason is, That the Agreement *proposeth the absolute taking away of Parliaments, which are Englishmen*

and Christians we are bound to maintain, having sworn it, the rule of Oaths is to bind literal. This Answerer himself gives a good restriction to this Obligation, to wit, that as English-men, and as Christians we are bound to maintain Parliaments and their Priviledges; that is, If Parliaments and their Priviledges be imploid a right to the maintaining of Englishmens Interest, the propagating and dispensing of religion and justice according to right conscience; for when we swear, we are to swear in judgment, that is, to know and discern, as what, so why, or the end and reason of the Oath we take, so as not to abjure thereby such things as we are immutably bound unto, to wit, our own or the publike preservation, which the Law of nature ties us to, and ought not to be untied by any form of Politick constitution, nor municipall Law in form of an oath. If this answerer should give a mans sword, and swear never to take it from him, if with that sword (presuming upon his Oath mis-understood) the Party to whom he gave it should attempt his life, he would not thinke himself forsworn by disarming him, yea and taking away his life to save his owne in his just defence. As the People have sworn to defend Parliaments so have Parliaments to protect the people, yea, the Houses have sworn to maintain each others priviledges, both which they have notoriously broken, if Justice had been, or could be done upon Capitall Covenant-breakers (which cannot, themselves being Judges) for falsifying their Declarations, breaking publike faith, inviting the Scots, and juggling with the Commonwealth in promoting the Kings Interest; then (if either these things had never been, or been judicially punished, the people had been perjured in offering violence to their preservers, but when Interests Intervien, that which is most publike must be preferred, whilst all can be kept none ought to bee broken, but when the maintaining of one is the destruction of another, that binds most which in its own nature is the best and most momentous: forms of government in Magistrates is necessary, but the materiality of it in the people is only absolute, for this is of Nature, the other of Art, that which is the product of reason, reason may see cause to alter, but what is of nature is perpetuall, and we have reason to suppose

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the Parliament too wise, & honest to impose an Oath to the contrary. No *coherent reason* can bee given why a Representative of Lords and Commons is not a Parliament without the two Houses, as well as the two Houses without the King, and our Oaths saved in the one as in the other, necessity enforcing.

His fifth reason in substance is, That the agreement propounds *forcibly to take away this unquestionable legall Parliament, without any authority, and to set up a Representative without colour of legall rights.* Not without any authority, for the materiality of authority, is indelibly in the people or body reall, as the formality is in their body representative: Government in *generis* is the Ordinance of God, but in *specie* the Ordinance of man, of his ordination, and consequently subject to his alteration, not lightly, but upon just necessity, in case of its owne degenerating in those properties, and to those ends it was instituted for, when no right of authority is asserted to be in the people, they have so much the more reason to assert this right, from whom, and for whom all authority is, that is justly so called; but it seems Parl. have out-grown their birth-right, forgot their original, their priviledges are turned into prerogatives, and they also are *accountable to none but God* nor indeed to him neither, as their prevaricating in the House, and injustice at Committees ere while hath made manifest, respecting personal engagements above the merit of the cause, having more consideration how to speak, then conscience to doe well. When he styles this an unquestionable legall Parliament, he greatly condemns himself, if one of the Abusers, but I doubt he means it in *sensu composito*, which makes it to be unquestionably questionable. Nor doth this Answerer know what this Parliament which now unquestionably sits, may doe towards the giving him legall satisfaction in dissolving it selfe, and enacting a *Representative*, which is the word of offence, but of most significance; and had the Parliament been more Representative, they had been lesse Representative, but being made perpetuall *Dissolvers* they forget they are chosen from among the people, who therefore must be Anabaptists and rebaptize them. The danger of a Parliament and Representative both at once, will I hope prove as little as that of two Parliaments, the one at West-

minster

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minor, the other at Oxford did not long since, when the people have chosen them, I doubt not but they will stand by them, and every man that carries an English heart, say with faithfull *Hush*, *Nay but whom the Lord and this people, and all the men of Israel chose, his will I be, and with him will I abide.* Which is a true Position grounded upon a right principle, though polltically spoken by *Hush* in that strait: Besides, if this Parliament now sitting dissolve themselves, then is the way legally open to chuse a new, the old being at an end.

The *Sireffe* of this Reason lies in this: *That as well all those that have been most faithfull to this Parliament and Kingdome, and have risked their lives and estates in this cause, if in conscience they cannot subscribe this Agreement, as Delinquents and Papists, shall be debarred electing, or being elected, for the Peoples liberties are incroached upon.* We have had wofull experience of the misery that men of divided minds bring upon this Kingdom, which hath been the cause of lengthning out our miseries & protracting our settlement, because out of the way of some men, though often promised and declared, till their ends could be satisfied, and so the better part, partly tired with the impetuousnes of mens spirits, and partly overcome with their sugred overtures, rather then have no end, content themselves with any end, which this way will probably remedy: And the Maxime in State is, *Better a mischief then an inconvenience,* better some suffer though honest, in matters of *electing*, and being *elected*, then all be undone by those that are dishonest, the Scots lead us a way to it, by the consent and approbation of our English Parliament, there the Minor part of Parliament and People give Rules of restriction for the next Election: Necessity hath no Law but Safety.

I cannot but differ in judgement from this worthy *Answerer*, that those that cannot subscribe this Agreement, have beene most faithfull to the Parliament and Kingdome, nor that *Parliament and Kingdome*, are of late words univocal, many have beene faithfull to the one, that have beene false to the other: nor that all that doe not subscribe it, cannot therefore doe it, nor that all that cannot doe it, make conscience of doing it, nor that the peoples liberties

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are hereby infringed, which by abused privilege hath so long suffered, and now is in a faire way speedily to be restored; a sober minde will acquiesce in its owne losse (if his conscience cause it) for a generall good, and blesse God that others can doe that which he cannot giving that liberty it selfe cannot take, when he sees all ordinary means fail, he thankesfully submits to extraordinary, and blesseth God for his wise providence & publick instruments, though he be none, is content to share in the benefit, and that God, and whom he pleaseth to use, may have the praise. If some stay for all, nothing can goe forward, nor no end can be made, there will be some abstersers and dissenters in all collective bodies, some deceivers, and some deceived; and therefore better some honest men secluded, then all hands over head admitted. This Answerers diminutive expression of *the least party in the Kingdome*, tends a little too much to the exciting of the greater, and what the greatest part is both in Parliament and Kingdome; I thinke I neede not tell him, no more then in the world. And for some to be *tyed without their consent or trust* is no new thing, nor slavery, except all under freeholders be bondmen; there is no rule of mans making so right, but it does some man wrong; all cases not being able to be comprehended in finite under standings; care and conscience must be had, first to the publick, then to particulars, and where they doe not convenire, there they must succumbere.

This reason is grounded much upon this Answerers feare that this Agreement will put those further asunder that are never like to come together, which he sayes have *adhered to the Parliament*, better they had not; for they could have done lesse hurt at Oxford then at Westminster, inso-much as the King hath not suck to say of some that sate there, and adhered to the Parliament, when the war was at highest, that they kept the Crowne on his head, and did him better offices in, then they could do out of the Houses, and therefore they had his royall dispensation as confiding men: Such as these will neither lead nor drive in the way of union (this answerer speaks of) against the common ene-

my; for the King and Cavaliers are not enemies to all Parliament men, no more then all Parliament men are enemies to them, it were happy if all enemies were common, those that are not are the most dangerous, had not common enemies close abettors, they durst not be so common as they are, but when countrey Committees have done their duties in sequestering according to their Oaths, then the Committee of Lords and Commons (especially if *Serjeant Wall* be out of the chair and most especially if *M. Pellon* be in, being unsworne by arbitrary prerogative priviledge take them off order their moneys to be restored and so they enabled to affront the Parliaments friends, and doe further mischief, fearing no justice whilst an appeal lies to favour and friendship.

The import of this reason is to blast the representative, and all acting by them; for obliging themselves to make good their owne fundamentalls, which this Parliament having broken, and lying under the odium of it; it is not allowed to others to be more modest, their greatestt error therefore is in refusing to be arbitrary and absolute, and to tie themselves up to rule and judgement, whereupon follows that objection, that they put judgement out of the legall Judgement into misjudges; whether they put it so or no, no question where authority is originally seated, there also is judgement, nor ordinary; so that particular men in particular causes can or may appeal from the authority erected by the people, to the people; but the people themselves may in case of publick and eminent concernment appeal from the corrupted judgement of their Magistrates, to their owne. Thus stood the case betwixt *Saul*, *Jonathan*, and the people, *1 Sam. 14.* who in conscience to the Letter of his Oath (who otherwayes was prophane enough) would have unjustly, and unnaturally put his owne sonne to death, whom yet the people (though seemingly contrary to their Oath) justly rescued from his fathers (their Kings) sentence, and not only justly, but regularly in a case and cause of that eminency and emergency, when the life and death of so publick a person, and the publick in his person, having

ving been their deliverer, lay at stake. In things obvious and sensible, people will no more walke by an implicit faith in reason then in Religion; when it concerns their beings, and well beings; it is not saying *who shall be Judge*? That will satisfie mens mindes, though it may stop their mouths. It is not all the authority in the world that can make men believe white's black; that authority that is content to be judged, meanes least to offend. It is true, that no rule can be so layd downe, but inconveniences may occur thereupon; if the Parliament be lyable to no judgement but their owne, then they may erre as wee all know *can privilegio*; if lyable to judgement, then people that are apt to erre may misjudge, and so disobey them; but how ever it is somewhat impolitick to hold out such a position, yet in reason it cannot be denied but *de jure*, when they are in apparent danger in their beings, and well beings, the people are their owne immediate Judges; The municipall Law makes it lawfull for a private person to be his owne Judge in case of assault, when the Law cannot bestead him; and shall not the publick much more be judge of its owne preservation, when upon the brinke of destruction? the abuse of a thing in some, does not take away the lawfull use of it in others; it is not unlawfull to take up armes against a Prince, because some have rebelled in so doing: Rules are still right, though actions are often wrong: States may runne hazard by men ill principled; but *veritas prevalebit*; truth must take place, though men be lyars, and must not be denied for feare of after claps: Primitive fundamentalls in nature and reason are still the same, and must be upheld, though time and ill manners may build bad superstructions thereupon; if judgement and authority be not originally in the people, then it is no Heresie to say Kings are *jure divino*, and so responsible to God onely; for an error admitted in the foundation puts all out of joynt, and multiplies ad infinitum.

I dare not call good evill, nor evill good, and therefore as I dissent from this answer in the civill proposals of this Agreement of the People, so on the other hand I doe subscribe

to his non-subscription to the Proposals as they relate to religion, in which there seems to me to be neither reason nor Religion. Being transported with a desire of Liberty, they forget *Solomon's* rule; *Prov. 25:16* *Fast thou found honey; eat so much as is sufficient for thee.* These Proposals of Religion have a tale of God in them, but not according to knowledge, for give liberty to error, and it will beget licentiousness in erring, some watch *Sathan* on the left hand; whilst hee tempteth them on the right, of these Propositions tending to such a destructive toleration in fundamentals, I may say as *Christ* to his two disciples, *ye know not what ye aske*, nor is it the Magistrate to give, but still the plea of *Christ* will ever lye against it; *from the beginning it was not so*, Gods truths must not come down to men, but men must come up to them, the rule cannot bend though Rulers may, mercy and truth must kisse each other, but both must be distinct nor confounded, for my part I pittie erring consciences, and wishall sitting indulgence *de facto* may be used towards them, but like not to make Lawes for them, for that will increase them, and stirre up too much of Popish dispensations to make unlawfull things lawfull, and which is worst of all, such Toleration by law, makes personall errors to become nationall finnes, and then the next is nationall judgements. The Magistrate ought to be as tender of Truth, as men are of their Consciencess; to buy it of any, but sell it at no rate, no not for conscience sake, which to do is but a charitable impiety, and an impious charity; for to be bound to truth, is the greatest liberty, and to be free from it the greatest slavery.

Whereas this answerer blames the Agreement for not taking care to *discover their own error*, the greatest need to discover secret ones, which by undermining do more mischief to the nation; then others by forming. These *abusers* he speaks of, have been our deviders, for by adhering to the Parliament, and yet forsaking their first love and principles, they passe for current coin because they are excellent counterfeites, and touch well, nothing being able to discern them but the fire, and so deceives all them that takes all for Gold that glitters.

I hope wee shall bee able to doe for *Ireland* shortly and not undoe our selves, which hath bene the great and specious designe hitherto, to cry up *Ireland* with no good intention to *England*, but by being strong abroad, to make us weak at home, that the King might come in freedom, honour and safety, and find us so; charity and wisdom begin at home, but wisdom and honesty will take care of both, when the *Representative* is convened, I doubt not their care of *Ireland*, both in point of conscience and concernment, in whom it is to be hoped there will be fewer distractions (I am sure there cannot well bee more) then in this present Parliament, and so the malady removed, the remedy will be the easier, speedier, and probably (with a blessing) more successfull. This Parliament before they rise may trans-ferre their authority of managing the Irish war to the Representative when it sits.

Scotland hath begun to us in ways extraordinary, and we doe but whats necessary and proper for our preservation in an English, as they for theirs in a Scottish way, which two wayes meet in the end, *publicke preservation*, the principall principle of both nations; and the greatest eye upon both. Safety is to be preferred above order, especially when order by disorderly persons renders us unsafe, who plow with our Heifer, to save themselves and destroy the whole, making the Parliament destructive to it selfe, and all its friends.

This reason hath more of the Serpent then of the Dove, he is willing to forget that *ends distinguish actions*. The King, he would have destroyed the Parliament to see up himselfe, these to save the Kingdom would lay aside the Parliament, as being become incompatible to make good their first undertakings by their irreconcilable divisions, in respect whereof the Parliament (now being) will doubtlesse think it more then time to lay aside themselves, and by transmigration to be still an old Parliament in a new Representative, that so they may make way for dispatch, which hitherto hath been out of the way, and in the way we were in, is never like to come into it. The Kings demanding the five

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Members because they were patriots; and these secluding them because they were not so, differ by distance, and so in dissolving the Parliament. If this answer be an absenter, *quantum in se*, he gets what here hee reasons against; pulls down the Parliament by an implicit disclaimer of its present authority, and therefore till he mend for one, let him not find fault with others; But his chiefe drift in this reason is by a State *Sophisme* to gul the Souldiery, and to make them to uphold this individuall Parliament to their owne and the Kingdomes apparent ruine; for it is they not the Souldiery that *doe the enemies worke*, or give him opportunity to do his owne; it is no wrong to a by man that goes about to make away himselfe; and by so doing to undo himselfe and family, with force to restrain him, to take away his liberty to save his life. The Souldiers are indeed Intrusted to preserve the Parliament, but in it is because the Parliament is the Kingdome representatively, and chosen by them, to preserve them; which when they falsify they rise their being, which is only relative and representative, no existence in nature but in reason, only for a time, and for such ends as are publicke not personall. The Souldiers need not question their authority for the Parliaments stil owne them (though it may bee the answerer be absent) and no doubt will provide for them (as they well deserve) before they rise, who sit by their rising, and must have fallen without it.

Shall the King dissolve so many Parliaments from time to time and that against their wills upon his bare word, for destructive ends? and shall not the necessity of the people and the utter inexpediency of this Parliament be reason sufficient for the people to prevail with the Parliament to dissolve themselves now they have power, and to make way for another of a more unanimous constitution, and better dispatch as unto publicke settlement and Reformation, being the same in substance, and of far greater advantage to the people; the state of affaires calling on them to seek remedy in an extraordinary, now all ordinary means faile, and this being the most probable, by reducing three Estates into one, and so not having two negatives to oppose one

affirmative, nor so many Interests to weigh against the publicke like; and though Innovations be dangerous, so is our condition without Innovation, a desperate disease must have a desperate remedy, Gods providence leading us into it, I hope will not forsake us in it, but will blesse great undertakings for good ends.

In this reason this Answerer shews summarily how inconsistent this agreement is like to prove, a very foundation for new confusion; but he tells us not how to come out of our old, wherein he sees we are inextricably involved, if this doe not extricate us, nothing probably will, it may be he thinks the Treaty would have ended all, but would not that also have laid a foundation for new confusion, that being against the Interest of all honest men, and their Interest against it, the very thing the King and his Cavaliers set up their stasse upon, to be restored and repaired by, and if not that, nor this, what then? we are brought to that passe that we must either have a speedy remedy, or a speedy ruine. All sober minds that look not at themselves but the publicke, will be content with it, and as for others whose pride, prejudice, passion, and private Interests sway them, such nothing will content, so that its no staying till all be agreed, difficulties attend all changes, and so they will this, but some poison must be expelled by poison to preserve the Patient; we have seen the out-stretched arm of the Lord going before us, he that hath delivered will deliver, and what he calls us to, he will lead us through, if our faith faile not him, his faithfullnes will not fail us, but as he brings us out of Egypt, so he will bring us into Canaan, and establish us there, if our minds fail give not, and our faith fail not, as theirs did, for a weak faith makes small things great, and great things invincible: both to God and man, every Town's a City, and every City hath walls up to heaven, to the unbelieving spies, that look through false Spectacles at humane difficulties, neither well weighing what God hath done, nor considering what he can doe that is Almighty, and already made known to us by his name *Jeboab*.

I have not so good skill in Astrology as to foretell the events and determinations of Counsells before they meet, things

things may be moved, that its hoped never will be granted, men are wiser together then asunder. God make them honest too; and then I doubt not but these desires will either be put into a better dresse then this Answerer fashions them in, fairly laid aside, and better things resolved upon in their room.

I wish we had not so now, hardly any punishment, but far from condense is inflicted on offenders, nor ever will, while they have so many friends in the Court of Parliament.

As before in the Propositions that concerned Religion, so here in those concerning the Ministers and their maintenance I must needs concur with this worthy Answerer. Tithes being in their *in dulum* exploded, their equitable practise is laudably retained as the fittest maintenance for the Minister, whose conversation being in *sacris* should have as little distractions as may be by things of another nature, these best enabling him also both to keepe *hospitality*, and doe acts of *charity*, being no other then as provision rents in Colledges, fittest for Schollars and Divines to live upon. Such as thinke Tithes an oppression, thinke preaching a burden, because it stands in the way of liberty of opinion, thinking hereby cunningly to perswade with Countrey people to cast off a saving ordinance, by a saving argument, as likeliest to take with the multitude, that to save their purses will venture their soules, and can be content to buy the losse both of Sermons and Sabbaths at the rate is here propounded; such Christians would have made bad Israelites. If Tithes be now an oppression, the Priesthood and Levitical order would then have beene intollerable; Those that scruple Tithes, I wish they may have liberty of conscience to pay a sixth, seventh, eighth, or ninth part, which themselves make choice of: I am sorry to see so good Patriots of so depraved judgements, but it is observable, that the most eminent instruments, and actions too (like the Moone) have their spots and fallers; Christs choicest types are recorded for most remarkable falls and failings; as David, Solomon, Jonas, &c. Luther that second Paul, how was he tainted both in pride, and spirit, and er-

sort of opinion, yea, and pertinacy is error in some things? yet rare in others: To come downe to our owne times, what men or things have beene without their mixtures and changes? how hath the Parliament it selfe varied from it selfe, and its first declared principles? The City rose like the Sunne that now sets in a cloud: The Scots our brethren turned open enemies: but therein they take but after their Godfather that first named them so: What Victory hath been won, that hath not first been lost? and all this is, *That the excellency of the power may be of God, and not of men.*

Satan makes great advantage of zeale, when once it is preposterous; liberty is good, but not licentiousnesse, where God allowes none, wee must take none: *Dauids* zeale cost *Uzzah* his life; who for hast to bring the Arke to *Sion*, instead of carrying it upon the Priests shoulders, set it on wheelles, which had like to have cast the Arke it selfe a fall, and did cause *Uzzah* his life to keepe it from falling.

I heartily wish two things: *Viz.* that in all publique transactions men would know what spirits they are of; and secondly, that others would not thinke it strange to heare or see chaffe to grow up with wheate: It were happy if Ministers would not be so much men, nor men uncalled so much Ministers: Satan casts firebrands amongst us, and wee foolishly take them up and burne our fingers with them, which if wee let lye would dye many of them. Satan sets some men on worke to oppose truth, and other some to oppose error, that so on both sides the peace of the Church, and the power of godlinesse may go to wrack.

It is observable that the Church of *Ephesus*, who is commended for hating the deeds (that is the opinions and practices) of the *Nicelaitans* is blamed, for she hath *left her first love*, which probably was cast in amongst that Church by Satan as a balme, to abate their zeale to God, by setting it on fire one against another, for its hard to be warme in opposition and controversie, and not cold in affection; when once power of Religion consists in strength of reasoning (though

(though on truths side) and passion is piety, then flesh goes for spirit, and such an one whilst he thinkes hee mounts up hill, goes down it, Those things that move swiftly in their improper, move slowly in their proper motions, It is observed in *France*, where they are constrained to insitt much on controversies by reason of their cohabitation with Papists, there is not much of the power of godlinesse. God take away the spirit of division from amongst us, least division take away the spirit, and give us wisdom to love mens persons though we hate their opinions; Thou hatest the *deeds* of the *Nicolaitans*, which I also hate, God can hate mens workes, when yet hee loves their persons, and so must wee. Woe be to them by whom they come, and wo also to them that offend in taking offence, both are naught and destroy godlinesse; both are necessary, and therefore so much opposed by him in these times.

FINIS.

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